

**AMENDMENT TO RULES COMMITTEE PRINT FOR
116-57
OFFERED BY MS. WATERS OF CALIFORNIA**

Page 1115, after line 5, insert the following new subtitle:

1 Subtitle F—Ending Homelessness

2 SEC. 1771. SHORT TITLE.

3 This subtitle may be cited as the “Ending Homeless-
4 ness Act of 2020”.

5 SEC. 1772. CONGRESSIONAL FINDINGS.

6 The Congress finds that—

7 (1) although the United States has experienced
8 a reduction in veteran homelessness after a surge of
9 new Federal funding targeted to homeless veterans
10 starting in fiscal year 2008, major progress towards
11 the national goals for ending homelessness in our
12 Nation has virtually stalled in the absence of in-
13 creased funding;

14 (2) according to the Department of Housing
15 and Urban Development’s 2018 point-in-time count,
16 there were 552,830 people experiencing homeless-
17 ness in the United States on any given night, includ-
18 ing nearly 160,000 children and youth;

1 (3) homelessness in many communities has
2 reached crisis proportions and some cities have de-
3 clared that homelessness has reached a state of
4 emergency; and

5 (4) the Federal Government must renew its
6 commitment to the national goals to end homeless-
7 ness.

8 **SEC. 1773. FUNDING TO ADDRESS UNMET NEEDS.**

9 Title IV of the McKinney-Vento Homeless Assistance
10 Act (42 U.S.C. 11360 et seq) is amended—

11 (1) by redesignating section 491 (42 U.S.C.
12 11408; relating to rural housing stability grant pro-
13 gram) as section 441;

14 (2) by redesignating section 592 (42 U.S.C.
15 11408a; relating to use of FMHA inventory for
16 transitional housing for homeless persons and for
17 turnkey housing) as section 442; and

18 (3) by adding at the end the following new sub-
19 title:

20 **“Subtitle E—5-Year Path to End**
21 **Homelessness**

22 **“SEC. 451. FUNDING TO ADDRESS UNMET NEEDS.**

23 “(a) DIRECT APPROPRIATIONS.—There is appro-
24 priated out of any money in the Treasury not otherwise
25 appropriated for each of fiscal years 2021 through 2025,

1 \$1,000,000,000, to remain available until expended, for
2 emergency relief grants under this section to address the
3 unmet needs of homeless populations in jurisdictions with
4 the highest need.

5 “(b) FORMULA GRANTS.—

6 “(1) ALLOCATION.—Amounts appropriated
7 under subsection (a) for a fiscal year shall be allo-
8 cated among collaborative applicants that comply
9 with section 402, in accordance with the funding for-
10 mula established under paragraph (2) of this sub-
11 section.

12 “(2) FORMULA.—The Secretary shall, in con-
13 sultation with the United States Interagency Council
14 on Homeless, establish a formula for allocating
15 grant amounts under this section to address the
16 unmet needs of homeless populations in jurisdictions
17 with the highest need, using the best currently avail-
18 able data that targets need based on key structural
19 determinants of homelessness in the geographic area
20 represented by a collaborative applicant, which shall
21 include data providing accurate counts of—

22 “(A) the poverty rate in the geographic
23 area represented by the collaborative applicant;

24 “(B) shortages of affordable housing for
25 low-, very low-, and extremely low-income

1 households in the geographic area represented
2 by the collaborative applicant;

3 “(C) the number of overcrowded housing
4 units in the geographic area represented by the
5 collaborative applicant;

6 “(D) the number of unsheltered homeless
7 individuals and the number of chronically home-
8 less individuals; and

9 “(E) any other factors that the Secretary
10 considers appropriate.

11 The formula shall provide priority to collaborative
12 applicants for which the local governments, within
13 the area served by the applicant, have adopted local
14 policies, such as through zoning and regulation, that
15 leverage the private sector’s participation to provide
16 housing that is reserved and affordable to low-, very
17 low-, and extremely low-income households, as de-
18 fined by the Secretary, for a minimum term of 15
19 years. The Secretary shall establish by regulation
20 the process and manner that local governments will
21 be evaluated. The Secretary shall ensure that local
22 governments are not incentivized or otherwise re-
23 warded for eliminating or undermining the intent of
24 zoning regulations or other regulations or policies
25 that establish fair wages for laborers, ensure health

1 and safety of buildings for residents and the general
2 public, protect fair housing, establish environmental
3 protections, establish standards for resiliency, pre-
4 vent tenant displacement, or any other requirements
5 that the Secretary determines it is in the public in-
6 terest to preserve.

7 “(3) GRANTS.—For each fiscal year for which
8 amounts are made available under subsection (a),
9 the Secretary shall make a grant to each collabora-
10 tive applicant for which an amount is allocated
11 pursuant to application of the formula established
12 pursuant to paragraph (2) of this subsection in an
13 amount that is equal to the formula amount deter-
14 mined for such collaborative applicant.

15 “(4) TIMING.—The funding formula required
16 under paragraph (2) shall be established by regula-
17 tions issued, after notice and opportunity for public
18 comment, not later than 6 months after the date of
19 enactment of this section.

20 “(c) USE OF GRANTS.—

21 “(1) IN GENERAL.—Subject to paragraphs (2)
22 through (4), a collaborative applicant that receives a
23 grant under this section may use such grant
24 amounts only for eligible activities under section
25 415, 423, or 441(b).

1 “(2) PERMANENT SUPPORTIVE HOUSING RE-
2 QUIREMENT.—

3 “(A) REQUIREMENT.—Except as provided
4 in subparagraph (B), each collaborative appli-
5 cant that receives a grant under this section
6 shall use not less than 75 percent of such grant
7 amount for permanent supportive housing, in-
8 cluding capital costs, rental subsidies, and serv-
9 ices.

10 “(B) EXEMPTION.—The Secretary shall
11 exempt a collaborative applicant from the appli-
12 cability of the requirement under subparagraph
13 (A) if the applicant demonstrates, in accordance
14 with such standards and procedures as the Sec-
15 retary shall establish, that—

16 “(i) chronic homelessness has been
17 functionally eliminated in the geographic
18 area served by the applicant; or

19 “(ii) the permanent supportive hous-
20 ing under development in the geographic
21 area served by the applicant is sufficient to
22 functionally eliminate chronic homelessness
23 once such units are available for occu-
24 pancy.

1 The Secretary shall consider and make a deter-
2 mination regarding each request for an exemp-
3 tion under this subparagraph not later than 60
4 days after receipt of such request.

5 “(3) LIMITATION ON USE FOR ADMINISTRATIVE
6 EXPENSES.—Not more than 5 percent of the total
7 amount of any grant under this section to a collabo-
8 rative applicant may be used for costs of administra-
9 tion.

10 “(4) HOUSING FIRST REQUIREMENT.—The Sec-
11 retary shall ensure that each collaborative applicant
12 that receives a grant under this section is imple-
13 menting, to the extent possible, and will use such
14 grant amounts in accordance with, a Housing First
15 model for assistance for homeless persons.

16 “(d) RENEWAL FUNDING.—Expiring contracts for
17 leasing, rental assistance, or permanent housing shall be
18 treated, for purposes of section 429, as expiring contracts
19 referred to in subsection (a) of such section.

20 “(e) REPORTING TO CONGRESS.—

21 “(1) ANNUAL REPORTS.—Not later than the ex-
22 piration of the 12-month period beginning upon the
23 first allocation of amounts made after the date of
24 the enactment of this section pursuant to subsection
25 (b)(1), and annually thereafter, the Secretary and

1 the United States Interagency Council on Homeless-
2 ness shall submit a report to the Committees on Fi-
3 nancial Services and Appropriations of the House of
4 Representatives and the Committees on Banking,
5 Housing, and Urban Affairs and Appropriations of
6 the Senate providing detailed information regarding
7 the grants made under this section during the pre-
8 ceding year, the activities funded with such grant
9 amounts, and the impact of such activities on the
10 communities where such activities took place.

11 “(2) COLLECTION OF INFORMATION BY SEC-
12 RETARY.—The Secretary shall require each collabo-
13 rative applicant that receives a grant under this sec-
14 tion to submit such information to the Secretary as
15 may be necessary for the Secretary to comply with
16 the reporting requirement under paragraph (1).

17 **“SEC. 452. SPECIAL PURPOSE VOUCHERS.**

18 “(a) DIRECT APPROPRIATION.—There is appro-
19 priated out of any money in the Treasury not otherwise
20 appropriated for each of fiscal years 2021 through 2025,
21 \$500,000,000, to remain available until expended, which
22 shall be used as follows:

23 “(1) RENTAL ASSISTANCE.—Except as provided
24 in paragraph (2), such amount shall be used for in-
25 cremental assistance for rental assistance under sec-

1 tion 8(o) of the United States Housing Act of 1937
2 (42 U.S.C. 1437f(o)) for persons and households
3 who are homeless (as such term is defined in section
4 103 (42 U.S.C. 11302)), which assistance shall be in
5 addition to such assistance provided pursuant to re-
6 newal of expiring contracts for such assistance.

7 “(2) ADMINISTRATIVE FEES.—The Secretary
8 may use not more than 10 percent of such amounts
9 provided for each fiscal year for administrative fees
10 under 8(q) of the United States Housing Act of
11 1937 (42 U.S.C. 1437f(q)). The Secretary shall es-
12 tablish policies and procedures to provide such fees
13 to the extent necessary to assist homeless persons
14 and families on whose behalf rental assistance is
15 provided to find and maintain suitable housing.

16 “(b) ALLOCATION.—The Secretary shall make assist-
17 ance provided under this section available to public hous-
18 ing agencies based on geographical need for such assist-
19 ance by homeless persons and households, as identified by
20 the Secretary, public housing agency administrative per-
21 formance, and other factors as specified by the Secretary.
22 In allocating assistance among public housing agencies,
23 the Secretary shall provide priority to agencies having ju-
24 risdictions in which the local governments within such ju-
25 risdictions have adopted local policies, such as through

1 zoning and regulation, that leverage the private sector's
2 participation to provide housing that is reserved and af-
3 fordable to low-, very low-, and extremely low-income
4 households, as determined by the Secretary, for a min-
5 imum term of 15 years. The Secretary shall establish by
6 regulation the process and manner that local governments
7 will be evaluated. The Secretary shall ensure that local
8 governments are not incentivized or otherwise rewarded
9 for eliminating or undermining the intent of zoning regu-
10 lations or other regulations or policies that establish fair
11 wages for laborers, ensure health and safety of buildings
12 for residents and the general public, protect fair housing,
13 establish environmental protections, establish standards
14 for resiliency, prevent tenant displacement, or any other
15 requirements that the Secretary determines it is in the
16 public interest to preserve.

17 “(c) AVAILABILITY.—Assistance made available
18 under this section shall continue to remain available only
19 for homeless persons and households upon turn-over.

20 “(d) RENEWAL FUNDING.—Renewal of expiring con-
21 tracts for rental assistance provided under subsection (a)
22 and for administrative fees under such subsection shall,
23 to the extent provided in appropriation Acts, be funded
24 under the section 8 tenant-based rental assistance ac-
25 count.

1 “(e) WAIVER AUTHORITY.—Upon a finding by the
2 Secretary that a waiver or alternative requirement pursu-
3 ant to this subsection is necessary to ensure that homeless
4 persons and households can obtain housing using rental
5 assistance made available under this section, the Secretary
6 may waive, or specify alternative requirements for, any
7 provision of any statute or regulation that the Secretary
8 administers in connection with the use of funds made
9 available under this section (except for requirements re-
10 lated to fair housing, nondiscrimination, labor standards,
11 and the environment) that relates to screening of appli-
12 cants for assistance, admission of applicants, and selection
13 of tenants. The Secretary shall require public housing
14 agencies receiving rental assistance funding made avail-
15 able under this section to take all reasonable actions to
16 help assisted persons and families avoid subsequent home-
17 lessness.

18 **“SEC. 453. OUTREACH FUNDING.**

19 “(a) DIRECT APPROPRIATION.—There is appro-
20 priated out of any money in the Treasury not otherwise
21 appropriated for each of fiscal years 2021 through 2025,
22 \$100,000,000, to remain available until expended, to the
23 Secretary for grants under this section to provide outreach
24 and coordinate services for persons and households who
25 are homeless or formerly homeless.

1 “(b) GRANTS.—

2 “(1) IN GENERAL.—The Secretary shall make
3 grants under this section on a competitive basis only
4 to collaborative applicants who comply with section
5 402.

6 “(2) PRIORITY.—The competition for grants
7 under this section shall provide priority—

8 “(A) to collaborative applicants who sub-
9 mit plans to make innovative and effective use
10 of staff funded with grant amounts pursuant to
11 subsection (c); and

12 “(B) to collaborative applicants for which
13 the local governments, within the area served by
14 the applicant, have adopted local policies, such
15 as through zoning and regulation, that leverage
16 the private sector’s participation to provide
17 housing that is reserved and affordable to low-
18 , very low-, and extremely low-income house-
19 holds, as defined by Secretary, for a minimum
20 term of 15 years. The Secretary shall establish
21 by regulation the process and manner that local
22 governments will be evaluated. The Secretary
23 shall ensure that local governments are not
24 incentivized or otherwise rewarded for elimi-
25 nating or undermining the intent of zoning reg-

1 ulations or other regulations or policies that es-
2 tablish fair wages for laborers, ensure health
3 and safety of buildings for residents and the
4 general public, protect fair housing, establish
5 environmental protections, establish standards
6 for resiliency, prevent tenant displacement, or
7 any other requirements that the Secretary de-
8 termines it is in the public interest to preserve.

9 “(c) USE OF GRANTS.—A collaborative applicant
10 that receives a grant under this section may use such
11 grant amounts only for providing case managers, social
12 workers, or other staff who conduct outreach and coordi-
13 nate services for persons and households who are homeless
14 or formerly homeless.

15 “(d) TIMING.—The Secretary shall establish the cri-
16 teria for the competition for grants under this section re-
17 quired under subsection (b) by regulations issued, after
18 notice and opportunity for public comment, not later than
19 6 months after the date of enactment of this section.”.

20 **SEC. 1774. HOUSING TRUST FUND.**

21 (a) FUNDING.—

22 (1) ANNUAL FUNDING.—There is appropriated,
23 out of any money in the Treasury not otherwise ap-
24 propriated, for each of fiscal years 2021 through
25 2025, \$1,000,000,000, to remain available until ex-

1 pended, which shall be credited to the Housing
2 Trust Fund established pursuant to section 1338 of
3 the Federal Housing Enterprises Financial Safety
4 and Soundness Act of 1992 (12 U.S.C. 4568) for
5 use under such section.

6 (2) RENTAL ASSISTANCE.—There is appro-
7 priated, out of any money in the Treasury not other-
8 wise appropriated, for each of fiscal years 2021
9 through 2025, \$50,000,000, to remain available
10 until expended, for incremental project-based vouch-
11 er assistance or project-based rental assistance, to
12 be allocated to States pursuant to the formula estab-
13 lished under section 1338 of the Federal Housing
14 Enterprises Financial Safety and Soundness Act of
15 1992 (12 U.S.C. 4568), to be used solely in conjunc-
16 tion with grant funds awarded under such section
17 1338.

18 (3) PRIORITY FOR HOUSING THE HOMELESS.—

19 (A) PRIORITY.—During the first 5 fiscal
20 years that amounts are made available under
21 this subsection, the Secretary of Housing and
22 Urban Development shall ensure that priority
23 for occupancy in dwelling units described in
24 subparagraph (B) that become available for oc-
25 cupancy shall be given to persons and house-

1 holds who are homeless (as such term is defined
2 in section 103 of the McKinney-Vento Homeless
3 Assistance Act (42 U.S.C. 11302)).

4 (B) COVERED DWELLING UNITS.—A dwell-
5 ing unit described in this subparagraph is any
6 dwelling unit that—

7 (i) is located in housing that was at
8 any time provided assistance with any
9 amounts from the Housing Trust Fund re-
10 ferred to paragraph (1) that were credited
11 to such Trust Fund by such paragraph; or

12 (ii) is receiving assistance described in
13 paragraph (2) with amounts made avail-
14 able under such paragraph.

15 (b) TENANT RENT CONTRIBUTION.—

16 (1) LIMITATION.—Subparagraph (A) of section
17 1338(c)(7) of the Federal Housing Enterprises Fi-
18 nancial Safety and Soundness Act of 1992 (12
19 U.S.C. 4568(c)(7)(A)) is amended—

20 (A) by striking “except that not less than
21 75 percent” and inserting the following: “except
22 that—

23 “(i) not less than 75 percent”;

24 (B) by adding at the end the following new
25 clause:

1 “(ii) notwithstanding any other provi-
2 sion of law, all rental housing dwelling
3 units shall be subject to legally binding
4 commitments that ensure that the con-
5 tribution toward rent by a family residing
6 in the dwelling unit shall not exceed 30
7 percent of the adjusted income (as such
8 term is defined in section 3(b) of the
9 United States Housing Act of 1937 (42
10 U.S.C. 1437a(b))) of such family; and”.

11 (2) REGULATIONS.—The Secretary of Housing
12 and Urban Development shall issue regulations to
13 implement section 1338(c)(7)(A)(ii) of the Federal
14 Housing Enterprises Financial Safety and Sound-
15 ness Act of 1992, as added by the amendment made
16 by paragraph (1)(B) of this section, not later than
17 the expiration of the 90-day period beginning on the
18 date of the enactment of this Act.

19 **SEC. 1775. TECHNICAL ASSISTANCE FUNDS TO HELP**
20 **STATES AND LOCAL ORGANIZATIONS ALIGN**
21 **HEALTH AND HOUSING SYSTEMS.**

22 (a) FUNDING.—There is hereby made available to the
23 Secretary of Housing and Urban Development
24 \$20,000,000, to remain available until expended, for pro-
25 viding technical assistance under section 405 of the

1 McKinney-Vento Homeless Assistance Act (42 U.S.C.
2 11361(b)) to integrate and coordinate assistance provided
3 under the McKinney-Vento Homeless Assistance Act (42
4 U.S.C. 11301 et seq.) with health care funded by Federal
5 programs, in collaboration with the United States Inter-
6 agency Council on Homelessness and the Secretary of
7 Health and Human Services.

8 (b) USE.—In allocating amounts made available by
9 subsection (a), the Secretary shall seek to—

10 (1) assist States and localities in integrating
11 and aligning policies and funding between Medicaid
12 programs, behavioral health providers, and housing
13 providers to create supportive housing opportunities;
14 and

15 (2) engage State Medicaid program directors,
16 Governors, State housing and homelessness agencies,
17 any other relevant State offices, and any relevant
18 local government entities, to assist States in increas-
19 ing use of their Medicaid programs to finance sup-
20 portive services for homeless persons.

21 (c) PRIORITY.—In using amounts made available
22 under this section, the Secretary shall give priority—

23 (1) to use for States and localities having the
24 highest numbers of chronically homeless persons;
25 and

1 (2) to assist localities that have adopted local
2 policies, such as through zoning and regulation, that
3 leverage the private sector's participation to provide
4 and make housing affordable for low-, very low-, and
5 extremely low-income household, as defined by the
6 Secretary, for a minimum of 15 years. The Sec-
7 retary shall establish by regulation the process and
8 manner that local governments will be evaluated.
9 The Secretary shall ensure that local governments
10 are not incentivized or otherwise rewarded for elimi-
11 nating or undermining the intent of zoning regula-
12 tions or other regulations or policies that establish
13 fair wages for laborers, ensure health and safety of
14 buildings for residents and the general public, pro-
15 tect fair housing, establish environmental protec-
16 tions, establish standards for resiliency, prevent ten-
17 ant displacement, or any other requirements that the
18 Secretary determines it is in the public interest to
19 preserve.

20 **SEC. 1776. PERMANENT AUTHORIZATION OF APPROPRIA-**
21 **TIONS FOR MCKINNEY-VENTO HOMELESS AS-**
22 **SISTANCE ACT GRANTS.**

23 Section 408 of the McKinney-Vento Homeless Assist-
24 ance Act (42 U.S.C. 11364) is amended to read as follows:

1 **“SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title such sums as may be necessary for each fiscal
4 year.”.

5 **SEC. 1777. PERMANENT EXTENSION OF UNITED STATES**
6 **INTERAGENCY COUNCIL ON HOMELESSNESS.**

7 Section 209 of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11319) is hereby repealed.

9 **SEC. 1778. ELIGIBILITY OF PRIVATE NONPROFIT ORGANI-**
10 **ZATIONS FOR FUNDING.**

11 Notwithstanding any other provision of law, the Sec-
12 retary of Housing and Urban Development shall provide
13 that private nonprofit organizations (as such term is de-
14 fined in section 401 of the McKinney-Vento Homeless As-
15 sistance Act (42 U.S.C. 11360)) that are eligible entities
16 (as such term is defined in such section 401), including
17 faith-based such organizations that are eligible entities,
18 shall be eligible for assistance made available or author-
19 ized by this subtitle or by the amendments made by this
20 subtitle (but not including assistance under section 452
21 of the McKinney-Vento Homeless Assistance Act, as
22 added by section 1773 of this subtitle), and shall be eligi-
23 ble to be subgrantees for entities receiving amounts made
24 available or authorized by this subtitle or by the amend-
25 ments made by this subtitle.

1 **SEC. 1779. ELIGIBILITY OF FAITH-BASED ORGANIZATIONS.**

2 Notwithstanding any other provision of law, in deter-
3 mining eligibility for assistance made available by this sub-
4 title or the amendments made by this subtitle or for which
5 appropriations are authorized by this subtitle or the
6 amendments made by this subtitle, the status of an entity
7 as faith-based or the possibility that an entity may be
8 faith-based may not be a basis for any discrimination
9 against such entity in any manner or for any purpose.

10 **SEC. 1780. EMERGENCY DESIGNATION.**

11 (a) IN GENERAL.—The amounts provided by this
12 subtitle, and the amendments made by this subtitle, are
13 designated as an emergency requirement pursuant to sec-
14 tion 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2
15 U.S.C. 933(g)).

16 (b) DESIGNATION IN SENATE.—In the Senate, this
17 subtitle and the amendments made by this subtitle are
18 designated as an emergency requirement pursuant to sec-
19 tion 403(a) of S. Con. Res. 13 (111th Congress), the con-
20 current resolution on the budget for fiscal year 2010.

21 **SEC. 1781. CONFORMING AMENDMENTS.**

22 The table of sections in section 101(b) of the McKin-
23 ney-Vento Homeless Assistance Act is amended—

24 (1) in the item relating to title II, by striking
25 “INTERAGENCY COUNCIL ON THE HOME-

1 LESS” and inserting “UNITED STATES INTER-
2 AGENCY COUNCIL ON HOMELESSNESS”;
3 (2) by striking the item relating to section 209;
4 and
5 (3) in the item relating to section 491, by strik-
6 ing “491” and inserting “441”;
7 (4) in the item relating to section 492, by strik-
8 ing “492” and inserting “442”; and
9 (5) by inserting before the item relating to title
10 V the following:

“Subtitle E—5-Year Path to End Homelessness

“Sec. 451. Funding to address unmet needs.

“Sec. 452. Special purpose vouchers.

“Sec. 453. Outreach funding.”.

